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RESOLUTIONS ADOPTED BY THE GENERAL ASSEMBLY

[*on the report of the First Committee (A/52/600)*]

52/38. General and complete disarmament

A

Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction

The General Assembly,

Determined to put an end to the suffering and casualties caused by anti-personnel mines that kill or maim hundreds of people every week, mostly innocent and defenceless civilians and especially children, obstruct economic development and reconstruction, inhibit the repatriation of refugees and internally displaced persons, and have other severe consequences for years after emplacement,

Believing it necessary to do the utmost to contribute in an efficient and coordinated manner to facing the challenge of removing anti-personnel mines placed throughout the world, and to assure their destruction,

Wishing to do the utmost in assuring assistance for the care and rehabilitation, including the social and economic reintegration, of mine victims,

Recalling its resolution 51/45 S of 10 December 1996 urging all States to pursue vigorously an effective, legally binding international agreement to ban the use, stockpiling, production and transfer of anti-personnel landmines with a view to completing the negotiation as soon as possible,

Stressing the role of public conscience in furthering the principles of humanity as evidenced by the call for a total ban on anti-personnel mines, and recognizing the efforts to that end undertaken by the International Red Cross and Red Crescent Movement, the International Campaign to Ban Landmines and numerous other non-governmental organizations around the world,

Recalling the Ottawa Declaration of 5 October 1996[1] and the Brussels Declaration of 27 June 1997[2] urging the international community to negotiate an international and legally binding agreement prohibiting the use, stockpiling, production and transfer of anti-personnel mines,

Emphasizing the desirability of attracting the adherence of all States to the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, and determined to work strenuously towards the promotion of its universalization in all relevant forums including, *inter alia*, the United Nations, the Conference on Disarmament, regional organizations and groupings, and review conferences of the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[3]

Basing itself on the principle of international humanitarian law that the right of the parties to an armed conflict to choose methods or means of warfare is not unlimited, on the principle that prohibits the employment in armed conflicts of weapons, projectiles and materials and methods of warfare of a nature to cause superfluous injury or unnecessary suffering and on the principle that a distinction must be made between civilians and combatants,

Welcoming the conclusion of negotiations on 18 September 1997 at Oslo on the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction,

1. *Invites* all States to sign the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction, which was open for signature at Ottawa on 3 and 4 December 1997 and at Headquarters in New York on 5 December 1997, and which shall remain open for signature thereafter at Headquarters until its entry into force;

2. *Urges* all States to ratify the Convention without delay subsequent to their signatures;

3. *Calls upon* all States to contribute towards the full realization and effective implementation of the Convention to advance the care and rehabilitation, and the social and economic reintegration of mine victims, and mine-awareness programmes, and the removal of anti-personnel mines placed throughout the world and the assurance of their destruction;

4. *Requests* the Secretary-General to render the necessary assistance and to provide such services as may be necessary to fulfil the tasks entrusted to him by the Convention;

5. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-personnel Mines and on Their Destruction".

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[1] A/C.1/51/10, annex I.

[2] See CD/1467.

[3] See *The United Nations Disarmament Yearbook*, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

B

Transparency in armaments

The General Assembly,

Recalling its earlier resolutions on transparency in armaments,

Continuing to hold the view that an enhanced level of transparency in all types of armaments contributes greatly to confidence-building and security among States,

Taking duly into account the relationship between transparency and the security needs of all States at the regional and international levels,

Recognizing that, notwithstanding the fact that the United Nations Register of Conventional Arms[4] in its current form deals with seven categories of conventional weapons, the principle of transparency should also apply to weapons of mass destruction and to transfers of equipment and technologies directly related to the development and manufacture of such weapons,

Convinced that an enhanced level of transparency in weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons could serve as a catalyst towards general and complete disarmament,

Stressing the need to achieve universality of the Treaty on the Non-Proliferation of Nuclear Weapons,[5] the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[6] and the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction,[7] as well as other instruments related to transfers of equipment and technologies directly related to the development and manufacture of such weapons, with a view to realizing the goal of the total elimination of all weapons of mass destruction,

1. *Takes note* of the reports of the Secretary-General on transparency in armaments;[8]

2. *Reaffirms its conviction* of the interrelationship between transparency in the field of conventional weapons and transparency in the fields of weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons;

3. *Requests* the Secretary-General to seek the views of Member States on ways and means of enhancing transparency in the fields of weapons of mass destruction and transfers of equipment and technologies directly related to the development and manufacture of such weapons with a view to enhancing

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[4] See resolution 46/36 L.

[5] United Nations, *Treaty Series*, vol. 729, No. 10485.

[6] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 27* (A/47/27), appendix I.

[7] Resolution 2826 (XXVI), annex.

[8] A/52/312 and Corr.1 and 2 and Add.1 and 2 and A/52/316.

transparency in the field of conventional weapons and to include in his report to the General Assembly at its fifty-third session a special section on the implementation of the present resolution;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Transparency in armaments".

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C

Assistance to States for curbing the illicit traffic in small arms and collecting them

The General Assembly,

Recalling its resolutions 46/36 H of 6 December 1991, 47/52 G and J of 9 December 1992, 48/75 H and J of 16 December 1993, 49/75 G of 15 December 1994, 50/70 H of 12 December 1995 and 51/45 L of 10 December 1996,

Considering that the illicit circulation of massive quantities of small arms throughout the world impedes development and is a source of increased insecurity,

Considering also that the illicit international transfer of small arms and their accumulation in many countries constitute a threat to their populations and to national and regional security and are a factor contributing to the destabilization of States,

Basing itself on the statement of the Secretary-General relating to the request of Mali for United Nations assistance for the collection of small arms,

Gravely concerned at the extent of the insecurity and banditry linked to the illicit circulation of small arms in Mali and the other affected States of the Saharo-Sahelian subregion,

Taking note of the first conclusions of the United Nations advisory missions sent to the affected countries of the subregion by the Secretary-General to study the best way of curbing the illicit circulation of small arms and ensuring their collection,

Taking note also of the interest shown by the other States of the subregion in receiving a United Nations advisory mission,

Noting the actions taken and those recommended at the meetings of the States of the subregion held at Banjul, Algiers, Bamako, Yamoussoukro and Niamey to establish close regional cooperation with a view to strengthening security,

Basing itself on the report of the Secretary-General on the work of the Organization, in particular the section entitled "Preventive diplomacy, peaceful settlement of disputes and disarmament",[9]

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[9] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 1* (A/52/1), sect. II.D.

1. *Welcomes* the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion;

2. *Also welcomes* the action taken by the Secretary-General in implementation of this initiative in the context of General Assembly resolution 40/151 H of 16 December 1985;

3. *Thanks* the Governments concerned in the subregion for the substantial support that they have given to the United Nations advisory missions, and welcomes the declared readiness of other States to receive the United Nations Advisory Mission;

4. *Encourages* the Secretary-General to continue his efforts, in the context of the implementation of resolution 49/75 G and of the recommendations of the United Nations advisory missions, to curb the illicit circulation of small arms and to collect such arms in the affected States that so request, with the support of the United Nations Regional Centre for Peace and Disarmament in Africa and in close cooperation with the Organization of African Unity;

5. *Notes* that, as part of its efforts to halt the flow of small arms into Mali and the Saharo-Sahelian subregion, the Government of Mali oversaw the destruction, at the "Flame of Peace" ceremony held at Timbuktu, Mali, on 27 March 1996, of thousands of small arms handed over by ex-combatants of the armed movements of northern Mali;

6. *Encourages* the setting up in the countries of the Saharo-Sahelian subregion of national commissions against the proliferation of small arms, and invites the international community to support as far as possible the smooth functioning of the national commissions where they have been set up;

7. *Takes note* of the conclusions of the ministerial consultation on the proposal for a moratorium on the importing, exporting and manufacture of light weapons in the region, held at Bamako on 26 March 1997, and encourages the States concerned to pursue their consultations on the matter;

8. *Requests* the Secretary-General to continue to examine the issue and to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Assistance to States for curbing the illicit traffic in small arms and collecting them".

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D

Relationship between disarmament and development

The General Assembly,

Recalling the provisions of the Final Document of the Tenth Special Session of the General Assembly[10] concerning the relationship between disarmament and development,

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[10] Resolution S-10/2.

Recalling also the adoption on 11 September 1987 of the Final Document of the International Conference on the Relationship between Disarmament and Development,[11]

Recalling further its resolutions 49/75 J of 15 December 1994, 50/70 G of 12 December 1995 and 51/45 D of 10 December 1996,

Bearing in mind the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[12]

Stressing the growing importance of the symbiotic relationship between disarmament and development in current international relations,

1. *Acknowledges* the note by the Secretary-General[13] and actions taken in accordance with the Final Document of the International Conference on the Relationship between Disarmament and Development;[11]

2. *Urges* the international community to devote part of the resources made available by the implementation of disarmament and arms limitation agreements to economic and social development, with a view to reducing the ever widening gap between developed and developing countries;

3. *Invites* all Member States to communicate to the Secretary-General, by 15 April 1998, their views and proposals for the implementation of the action programme adopted at the International Conference on the Relationship between Disarmament and Development,[14] as well as any other views and proposals with a view to achieving the goals of the action programme, within the framework of current international relations;

4. *Requests* the Secretary-General to continue to take action, through appropriate organs and within available resources, for the implementation of the action programme adopted at the International Conference;

5. *Also requests* the Secretary-General to submit a report to the General Assembly at its fifty-third session;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Relationship between disarmament and development".

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[11] United Nations publication, Sales No. E.87.IX.8.

[12] A/50/752-S/1995/1035, annex III; see *Official Records of the Security Council, Fiftieth Year, Supplement for October, November and December 1995*, document S/1995/1035.

[13] A/52/228.

[14] United Nations publication, Sales No. E.87.IX.8, para. 35.

E

Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control

The General Assembly,

Recalling its resolutions 50/70 M of 12 December 1995 and 51/45 E of 10 December 1996,

Emphasizing the importance of the observance of environmental norms in the preparation and implementation of disarmament and arms limitation agreements,

Recognizing that it is necessary to take duly into account the agreements adopted at the United Nations Conference on Environment and Development, as well as prior relevant agreements, in the drafting and implementation of agreements on disarmament and arms limitation,

Mindful of the detrimental environmental effects of the use of nuclear weapons,

1. *Reaffirms* that international disarmament forums take fully into account the relevant environmental norms in negotiating treaties and agreements on disarmament and arms limitation and that all States, through their actions, fully contribute to ensuring compliance with the aforementioned norms in the implementation of treaties and conventions to which they are parties;

2. *Calls upon* States to adopt unilateral, bilateral, regional and multilateral measures so as to contribute to ensuring the application of scientific and technological progress in the framework of international security, disarmament and other related spheres, without detriment to the environment or to its effective contribution to attaining sustainable development;

3. *Invites* all Member States to communicate to the Secretary-General information on the measures they have adopted to promote the objectives envisaged in the present resolution, and requests the Secretary-General to submit a report containing this information to the General Assembly at its fifty-third session;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Observance of environmental norms in the drafting and implementation of agreements on disarmament and arms control".

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F

Convening of the fourth special session of the General Assembly devoted to disarmament: report of the Preparatory Committee for the Fourth Special Session of the General Assembly Devoted to Disarmament

The General Assembly,

Recalling its resolutions 49/75 I of 15 December 1994, 50/70 F of 12 December 1995 and 51/45 C of 10 December 1996,

Recalling also that, there being a consensus to do so in each case, three special sessions of the General Assembly devoted to disarmament were held in 1978, 1982 and 1988, respectively,

Bearing in mind the Final Document of the Tenth Special Session of the General Assembly,[10] the first special session devoted to disarmament, and the objective of general and complete disarmament under effective international control,

Welcoming the recent positive changes in the international landscape, characterized by the end of the cold war, the relaxation of tensions at the global level and the emergence of a new spirit governing relations among nations,

Taking note of paragraph 108 of the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[12] which supported the convening of the fourth special session of the General Assembly devoted to disarmament in 1997, which would offer an opportunity to review, from a perspective more in tune with the current international situation, the most critical aspects of the process of disarmament and to mobilize the international community and public opinion in favour of the elimination of nuclear and other weapons of mass destruction and of the control and reduction of conventional weapons,

Taking note also of the report of the 1997 substantive session of the Disarmament Commission on the item entitled "Fourth special session of the General Assembly devoted to disarmament",[15]

Desiring to build upon the substantive exchange of views on the fourth special session of the General Assembly devoted to disarmament during the 1997 substantive session of the Disarmament Commission,

Reiterating its conviction that a special session of the General Assembly devoted to disarmament can set the future course of action in the field of disarmament, arms control and related international security matters,

Emphasizing the importance of multilateralism in the process of disarmament and arms control, peace and security,

Noting that, with the completion of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[6] and in 1996, the adoption of the Comprehensive Nuclear-Test-Ban Treaty,[16] as well as of amended Protocol II[17] and new Protocol IV[17] to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects,[3] the following years would be opportune for the international community to start the process of reviewing the state of affairs in the entire field of disarmament and arms control in the post-cold-war era,

1. *Decides*, subject to the emergence of a consensus on its objectives and agenda, to convene the fourth special session of the General Assembly devoted to disarmament;

2. *Endorses* the recommendation of the Disarmament Commission at its 1997 substantive session[15] that the item entitled "Fourth special session of the General Assembly devoted to disarmament" should be included in the agenda of the Commission at its 1998 session;

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[15] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 42* (A/52/42), para. 44.

[16] See resolution 50/245.

[17] See CCW/CONF.I/16 (Part I).

3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Convening of the fourth special session of the General Assembly devoted to disarmament" and, subject to the outcome of the deliberations at the 1998 substantive session of the Disarmament Commission, to set an exact date for and to decide on organizational matters relating to the convening of the special session.

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G

Consolidation of peace through practical disarmament measures

The General Assembly,

Recalling its resolution 51/45 N of 10 December 1996,

Convinced that a comprehensive and integrated approach towards certain practical disarmament measures, such as, *inter alia*, arms control, particularly with regard to small arms and light weapons, confidence-building measures, demobilization and reintegration of former combatants, demining and conversion, often is a prerequisite to maintaining and consolidating peace and security and thus provides a basis for effective rehabilitation and social and economic development in areas that have suffered from conflict,

Noting with satisfaction that, since the adoption of resolution 51/45 N, the importance of such practical disarmament measures has received growing attention from the international community in general, and from interested and affected Member States in particular, as well as from the Secretary-General,

Stressing that further efforts are needed in order to develop and effectively implement programmes of practical disarmament in affected areas,

Recalling the deliberations at the 1997 substantive session of the Disarmament Commission in Working Group III on agenda item 6, entitled "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of General Assembly resolution 51/45 N", where the scope of resolution 51/45 N was a major focus,

Welcoming the adoption by the Disarmament Commission of the "Guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991",[18]

Noting, with reference to its resolution 50/70 B of 12 December 1995, the report of the Panel of Governmental Experts on Small Arms[19] and its relevance in the context of the present resolution and of the ongoing work in the Disarmament Commission,

1. *Stresses* the particular relevance of the deliberations at the 1997 substantive session of the Disarmament Commission in Working Group III on agenda item 6, entitled "Guidelines on conventional arms control/limitation and disarmament, with particular emphasis on consolidation of peace in the context of

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[18] *Official Records of the General Assembly, Fifty-first Session, Supplement No. 42* (A/51/42), annex I.

[19] A/52/298, annex.

General Assembly resolution 51/45 N" for this topic, takes note of the Chairman's paper of 9 May 1997[20] and other views expressed, as a useful basis for further deliberations, and encourages the Disarmament Commission to continue its efforts aimed at the adoption of such guidelines;

2. *Takes note* of the report of the Secretary-General on the consolidation of peace through practical disarmament measures,[21] submitted pursuant to resolution 51/45 N, and encourages Member States as well as regional arrangements and agencies to lend their support to the implementation of relevant recommendations contained therein;

3. *Recognizes*, with reference to paragraph 12 of section III of the report,[21] that the readiness of the international community to assist affected States in their efforts to consolidate peace would greatly benefit the effective implementation of practical disarmament measures;

4. *Invites* interested States to establish a group in order to facilitate this process and to build upon the momentum generated, and requests the Secretary-General to lend his support to the efforts of such a group;

5. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Consolidation of peace through practical disarmament measures".

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H

Contributions towards banning anti-personnel landmines

The General Assembly,

Recalling its previous resolutions 48/75 K of 16 December 1993, 49/75 D of 15 December 1994, 50/70 O of 12 December 1995 and 51/45 S of 10 December 1996,

Taking into account the efforts to address the landmine issue, and underlining that the efforts made within different forums should be mutually reinforcing,

Taking note of the decisions taken by States to adopt bans, moratoriums or other restrictions on transfers of anti-personnel landmines, and other measures taken unilaterally,

Welcoming the ongoing national, regional and multilateral efforts in demining and victim rehabilitation,

Having considered the report of the Conference on Disarmament,[22]

1. *Urges* all States and regional organizations to intensify their efforts to contribute to the objective of the elimination of anti-personnel landmines;

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[20] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 42* (A/52/42), annex III.

[21] A/52/289.

[22] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27).

2. *Welcomes*, as interim measures, the various bans, moratoriums and other restrictions already declared by States on anti-personnel landmines, and calls upon States that have not yet done so to declare and implement such bans, moratoriums and other restrictions as soon as possible;

3. *Invites* the Conference on Disarmament to intensify its efforts on the issue of anti-personnel landmines;

4. *Decides* to include in the provisional agenda of its fifty-third session an item entitled "Contributions towards banning anti-personnel landmines".

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I

Prohibition of the dumping of radioactive wastes

The General Assembly,

Bearing in mind resolutions CM/Res.1153 (XLVIII) of 1988[23] and CM/Res.1225 (L) of 1989,[24] adopted by the Council of Ministers of the Organization of African Unity, concerning the dumping of nuclear and industrial wastes in Africa,

Welcoming resolution GC(XXXIV)/RES/530 establishing a Code of Practice on the International Transboundary Movement of Radioactive Waste, adopted on 21 September 1990 by the General Conference of the International Atomic Energy Agency at its thirty-fourth regular session,[25]

Welcoming also resolution GC(XXXVIII)/RES/6, adopted on 23 September 1994 by the General Conference of the International Atomic Energy Agency at its thirty-eighth regular session,[26] inviting the Board of Governors and the Director General of the Agency to commence preparations for a convention on the safety of radioactive waste management, and noting the progress that has been made in that regard,

Taking note of the commitment by the participants at the Summit on Nuclear Safety and Security, held in Moscow on 19 and 20 April 1996, to ban the dumping at sea of radioactive wastes,[27]

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[23] See A/43/398, annex I.

[24] See A/44/603, annex I.

[25] See International Atomic Energy Agency, *Resolutions and Other Decisions of the General Conference, Thirty-fourth Regular Session*, 17-21 September 1990 (GC(XXXIV)/RESOLUTIONS (1990)).

[26] Ibid., *Thirty-eighth Regular Session*, 19-23 September 1994 (GC(XXXVIII)/RES/DEC (1994)).

[27] A/51/131, annex I, para. 20.

Considering its resolution 2602 C (XXIV) of 16 December 1969, in which it requested the Conference of the Committee on Disarmament,[28] *inter alia*, to consider effective methods of control against the use of radiological methods of warfare,

Recalling resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[29] on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa,

Aware of the potential hazards underlying any use of radioactive wastes that would constitute radiological warfare and its implications for regional and international security, in particular for the security of developing countries,

Recalling all its resolutions on the matter since its forty-third session in 1988, including its resolution 51/45 J of 10 December 1996,

Desirous of promoting the implementation of paragraph 76 of the Final Document of the Tenth Special Session of the General Assembly,[10] the first special session devoted to disarmament,

1. *Takes note* of the part of the report of the Conference on Disarmament relating to a future convention on the prohibition of radiological weapons;[30]

2. *Expresses grave concern* regarding any use of nuclear wastes that would constitute radiological warfare and have grave implications for the national security of all States;

3. *Calls upon* all States to take appropriate measures with a view to preventing any dumping of nuclear or radioactive wastes that would infringe upon the sovereignty of States;

4. *Requests* the Conference on Disarmament to take into account, in the negotiations for a convention on the prohibition of radiological weapons, radioactive wastes as part of the scope of such a convention;

5. *Also requests* the Conference on Disarmament to intensify efforts towards an early conclusion of such a convention and to include in its report to the General Assembly at its fifty-third session the progress recorded in the negotiations on this subject;

6. *Takes note* of resolution CM/Res.1356 (LIV) of 1991, adopted by the Council of Ministers of the Organization of African Unity,[29] on the Bamako Convention on the Ban on the Import of Hazardous Wastes into Africa and on the Control of Their Transboundary Movements within Africa;

7. *Expresses the hope* that the effective implementation of the International Atomic Energy Agency Code of Practice on the International Transboundary Movement of Radioactive Waste[25] will enhance the protection of all States from the dumping of radioactive wastes on their territories;

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[28] The Conference of the Committee on Disarmament became the Committee on Disarmament as from the tenth special session of the General Assembly. The Committee on Disarmament was redesignated the Conference on Disarmament as from 7 February 1984.

[29] See A/46/390, annex I.

[30] See *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27), sect. III.E.

8. *Welcomes* the adoption at Vienna on 5 September 1997 of the Joint Convention on the Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, as recommended by the participants in the Moscow Summit on Nuclear Safety and Security, and the signing of the Joint Convention by a number of States beginning on 29 September 1997, and appeals to all States to sign and subsequently ratify, accept or approve the Convention, so that it may enter into force as soon as possible;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Prohibition of the dumping of radioactive wastes".

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J

Small arms

The General Assembly,

Recalling its resolution 50/70 B of 12 December 1995,

Recalling also its resolution 51/45 L of 10 December 1996, in which it welcomed the initiative taken by Mali concerning the question of the illicit circulation of small arms and their collection in the affected States of the Saharo-Sahelian subregion,

Convinced of the need for a comprehensive approach to promote, at the global and regional levels, the control and reduction of small arms and light weapons in a balanced and non-discriminatory manner as a contribution to international peace and security,

Reaffirming the inherent right to individual or collective self-defence recognized in Article 51 of the Charter of the United Nations, which implies that States also have the right to acquire arms with which to defend themselves,

Reaffirming also the right of self-determination of all peoples, in particular peoples under colonial or other forms of alien domination or foreign occupation, and the importance of the effective realization of this right, as enunciated, *inter alia*, in the Vienna Declaration and Programme of Action, adopted by the World Conference on Human Rights on 25 June 1993,[31]

Reaffirming further the urgent need for practical disarmament in the context of the conflicts the United Nations is actually dealing with and of the weapons that are actually killing people in the hundreds of thousands,

Welcoming the submission of the report of the Secretary-General prepared with the assistance of the Panel of Governmental Experts on Small Arms,[19] which contains measures to reduce the excessive and destabilizing accumulation and transfer of small arms and light weapons in specific regions of the world and to prevent such accumulations and transfers from occurring in future,

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[31] A/CONF.157/24 (Part I), chap. III.

Welcoming also the guidelines for international arms transfers in the context of General Assembly resolution 46/36 H of 6 December 1991, which were adopted by consensus by the Disarmament Commission in 1996,[18] and taking note of the ongoing efforts of the Commission to consider guidelines for post-conflict situations, including demobilization of former combatants, disposal and destruction of weapons, as well as confidence- and security-building measures,

1. *Endorses* the recommendations contained in the report on small arms,[19] which was approved unanimously by the Panel of Governmental Experts on Small Arms, bearing in mind the views of Member States on the recommendations;

2. *Calls upon* all Member States to implement the relevant recommendations to the extent possible and where necessary in cooperation with appropriate international and regional organizations and/or through international and regional cooperation among police, intelligence, customs and border control services;

3. *Requests* the Secretary-General to implement the relevant recommendations, in particular to initiate a study on the problems of ammunition and explosives in all their aspects, as early as possible, within available financial resources, and in cooperation with appropriate international and regional organizations where necessary;

4. *Also requests* the Secretary-General to seek the views of Member States on the report and on the steps that they have taken to implement its recommendations, and, in particular, to seek their views on the recommendation concerning the convening of an international conference on the illicit arms trade in all its aspects in time for consideration by the General Assembly at its fifty-third session;

5. *Further requests* the Secretary-General to prepare a report, with the assistance of a group of governmental experts to be nominated by him in 1998 on the basis of equitable geographical representation, (*a*) on the progress made in the implementation of the recommendations of the report on small arms and (*b*) on further actions recommended to be taken, to be submitted to the General Assembly at its fifty-fourth session;

6. *Encourages* Member States and the Secretary-General to carry out recommendations for post-conflict situations, including demobilization of former combatants and disposal and destruction of weapons;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Small arms".

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K

Nuclear disarmament with a view to the ultimate elimination of nuclear weapons

The General Assembly,

Recalling its resolutions 49/75 H of 15 December 1994, 50/70 C of 12 December 1995 and 51/45 G of 10 December 1996,

Recognizing that the end of the cold war has increased the possibility of freeing the world from the fear of nuclear war,

Appreciating the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms,[32] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are parties, and looking forward to the early entry into force of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms,[33] which was ratified by the United States of America,

Welcoming the reductions in the nuclear arsenals of other nuclear-weapon States,

Welcoming the removal of all nuclear weapons of the former Union of Soviet Socialist Republics from the territories of Belarus, Kazakhstan and Ukraine,

Welcoming the joint statement issued by the Presidents of the Russian Federation and the United States of America at Helsinki on 21 March 1997,[34] which set forth the common understanding that, once the Treaty on Further Reduction and Limitation of Strategic Offensive Arms enters into force, these two States will immediately begin negotiations on a START III agreement,

Welcoming the decision of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons to extend the Treaty indefinitely,[35] taken without a vote, as well as the decisions on strengthening the review process for the Treaty[36] and on the principles and objectives for nuclear non-proliferation and disarmament,[37]

Noting the reference in the decision on the principles and objectives for nuclear non-proliferation and disarmament[37] to the importance of the following measures for the full realization and effective implementation of article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[5] including the programme of action as reflected below:

(*a*) The completion by the Conference on Disarmament of the negotiations on a universal and internationally and effectively verifiable comprehensive nuclear-test-ban treaty no later than 1996, and utmost restraint that should be exercised by the nuclear-weapon States pending the entry into force of that treaty;

(*b*) The immediate commencement and early conclusion of negotiations on a non-discriminatory and universally applicable convention banning the production of fissile materials for nuclear weapons or other nuclear explosive devices in accordance with the statement of the Special Coordinator of the Conference on Disarmament and the mandate contained therein;

(*c*) The determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

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[32] *The United Nations Disarmament Yearbook*, vol. 16: 1991 (United Nations publication, Sales No. E.92.IX.1), appendix II.

[33] Ibid., vol. 18: 1993 (United Nations publication, Sales No. E.94.IX.1), appendix II.

[34] See CD/1460.

[35] *1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons, Final Document, Part I* (NPT/CONF.1995/32 (Part I)), annex, decision 3.

[36] Ibid., decision 1.

[37] Ibid., decision 2.

Welcoming the adoption of the Comprehensive Nuclear-Test-Ban Treaty at the fiftieth session of the General Assembly[16] and its opening for signature at the beginning of the fifty-first session, and noting the subsequent signing of that Treaty by over one hundred and forty Member States,

Welcoming also the smooth start of the strengthened review process of the Treaty on the Non-Proliferation of Nuclear Weapons with the successful conclusion in April 1997 of the first meeting of the Preparatory Committee for the next Review Conference, which will be held in the year 2000,

Recalling that nuclear non-proliferation and the promotion of nuclear disarmament are key elements in the maintenance of international peace and security, which is one of the most important purposes of the United Nations,

1. *Urges* States not parties to the Treaty on the Non-Proliferation of Nuclear Weapons[5] to accede to it at the earliest possible date, recognizing the importance of universal adherence to the Treaty;

2. *Calls* for the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control, and invites them to keep States Members of the United Nations duly informed of the progress or efforts made;

3. *Welcomes* the ongoing efforts in the dismantlement of nuclear weapons, and notes the importance of the safe and effective management of the resultant fissile materials;

4. *Calls upon* all States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to make their best efforts for the success of the next Review Conference, which will be held in the year 2000;

5. *Calls upon* all States to implement fully their commitments in the field of disarmament and non-proliferation of weapons of mass destruction.

67th plenary meeting
9 December 1997

L

Nuclear disarmament

The General Assembly,

Recalling its resolution 49/75 E of 15 December 1994 on a step-by-step reduction of the nuclear threat, and its resolutions 50/70 P of 12 December 1995 and 51/45 O of 10 December 1996 on nuclear disarmament,

Reaffirming the commitment of the international community to the goal of the total elimination of nuclear weapons and the creation of a nuclear-weapon-free world,

Bearing in mind that the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction[7] and the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[6] have already established legal regimes on the complete prohibition of biological and chemical weapons, respectively, and determined to achieve a nuclear weapons convention on the prohibition of the

testing, development, production, stockpiling, loan, transfer, use and threat of use of nuclear weapons and on their destruction, and to conclude such an international convention at an early date,

Recognizing that there now exist favourable conditions for creating a world free of nuclear weapons,

Bearing in mind paragraph 50 of the Final Document of the Tenth Special Session of the General Assembly,[10] the first special session devoted to disarmament, calling for the urgent negotiation of agreements for the cessation of the qualitative improvement and development of nuclear-weapon systems, and for a comprehensive and phased programme with agreed time-frames, wherever feasible, for the progressive and balanced reduction of nuclear weapons and their means of delivery, leading to their ultimate and complete elimination at the earliest possible time,

Reiterating the highest priority accorded to nuclear disarmament in the Final Document of the Tenth Special Session of the General Assembly and by the international community,

Recognizing that the Comprehensive Nuclear-Test-Ban Treaty[16] and any proposed treaty on fissile material for nuclear weapons or other nuclear explosive devices must constitute disarmament measures, and not only non-proliferation measures, and that these measures, together with an international legal instrument on adequate security assurances for non-nuclear-weapon States and an international convention prohibiting the use of nuclear weapons, must be integral steps leading to the total elimination of nuclear weapons within a time-bound framework,

Welcoming the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms,[32] to which Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America are States parties,

Welcoming also the conclusion of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms[33] by the Russian Federation and the United States of America and the ratification of that Treaty by the United States of America, and looking forward to the full implementation of the START I[32] and START II[33] Treaties by the States parties, and to further concrete steps for nuclear disarmament by all nuclear-weapon States,

Noting with appreciation the unilateral measures by the nuclear-weapon States for nuclear arms limitation, and encouraging them to undertake further such measures,

Recognizing the complementarity of bilateral and multilateral negotiations on nuclear disarmament, and that bilateral negotiations can never replace multilateral negotiations in this respect,

Noting the support expressed in the Conference on Disarmament and in the General Assembly for the elaboration of an international convention to assure non-nuclear-weapon States against the use or threat of use of nuclear weapons, and the multilateral efforts in the Conference on Disarmament to reach agreement on such an international convention at an early date,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[38] and welcoming the unanimous reaffirmation by all Judges of the Court that there exists an obligation for all States to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control,

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[38] A/51/218, annex.

Mindful of paragraph 84 and other relevant recommendations in the Final Document of the Eleventh Conference of Heads of State or Government of the Non-Aligned Countries, held at Cartagena de Indias, Colombia, from 18 to 20 October 1995,[12] calling upon the Conference on Disarmament to establish, on a priority basis, an ad hoc committee to commence negotiations early in 1996 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework; paragraph 58 of the final document of the Twelfth Ministerial Conference of the Movement of Non-Aligned Countries, held at New Delhi on 7 and 8 April 1997;[39] and paragraphs 40 to 42 of the communiqué of the Meeting of Ministers for Foreign Affairs and Heads of Delegations of the Movement of Non-Aligned Countries to the Fifty-second Session of the General Assembly, held in New York on 25 September 1997,[40] which called for, as a first step, the conclusion of a universal and legally binding multilateral agreement committing all States to the total elimination of nuclear weapons,

Bearing in mind the proposal of twenty-eight delegations to the Conference on Disarmament that are members of the Group of 21 for a programme of action for the elimination of nuclear weapons,[41] and expressing its conviction that this proposal will be an important input and will contribute to negotiations on this question in the Conference,

Commending the initiative by twenty-six delegations to the Conference on Disarmament that are members of the Group of 21,[42] proposing a comprehensive mandate for an ad hoc committee on nuclear disarmament, which includes negotiations for, as a first step, a universal and legally binding multilateral agreement committing all States to the objective of the total elimination of nuclear weapons, an agreement on further steps required in a phased programme with time-frames leading to the total elimination of these weapons and a convention on the prohibition of the production of fissile material for nuclear weapons and other nuclear explosive devices taking into account the report of the Special Coordinator on that item[43] and the views relating to the scope of the treaty,

1. *Recognizes* that, in view of recent political developments, the time is now opportune for all nuclear-weapon States to undertake effective disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

2. *Recognizes also* that there is a genuine need to de-emphasize the role of nuclear weapons, and to review and revise nuclear doctrines accordingly;

3. *Urges* the nuclear-weapon States to stop immediately the qualitative improvement, development, production and stockpiling of nuclear warheads and their delivery systems;

4. *Reiterates its call upon* the nuclear-weapon States to undertake the step-by-step reduction of the nuclear threat and a phased programme of progressive and balanced deep reductions of nuclear weapons, and

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[39] A/51/912-S/1997/406, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for July, August and September 1997*, document S/1997/406.

[40] A/52/447-S/1997/775, annex; see *Official Records of the Security Council, Fifty-second Year, Supplement for October, November and December 1997*, document S/1997/775.

[41] A/C.1/51/12, annex.

[42] *Official Records of the General Assembly, Fifty-second Session, Supplement No. 27* (A/52/27), para. 30.

[43] CD/1299.

to carry out effective nuclear disarmament measures with a view to the total elimination of these weapons within a time-bound framework;

5. *Expresses its concern* at the continuing opposition by some States to the establishment of an ad hoc committee on nuclear disarmament in the Conference on Disarmament, as called for in General Assembly resolution 51/45 O;

6. *Reiterates its call upon* the Conference on Disarmament to establish, on a priority basis, an ad hoc committee on nuclear disarmament to commence negotiations early in 1998 on a phased programme of nuclear disarmament and for the eventual elimination of nuclear weapons within a time-bound framework through a nuclear weapons convention;

7. *Urges* the Conference on Disarmament to take into account in this regard the proposal of the twenty-eight delegations for a programme of action for the elimination of nuclear weapons,[41] as well as the mandate for the ad hoc committee on nuclear disarmament, proposed by the twenty-six delegations;[42]

8. *Requests* the Secretary-General to submit to the General Assembly at its fifty-third session a report on the implementation of the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Nuclear disarmament".

67th plenary meeting
9 December 1997

M

Bilateral nuclear arms negotiations and nuclear disarmament

The General Assembly,

Recalling its previous relevant resolutions,

Recognizing the fundamental changes that have taken place with respect to international security, which have permitted agreements on deep reductions in the nuclear armaments of the States possessing the largest inventories of such weapons,

Mindful that it is the responsibility and obligation of all States to contribute to the process of the relaxation of international tension and to the strengthening of international peace and security and, in this connection, to adopt and implement measures towards the attainment of general and complete disarmament under strict and effective international control,

Appreciating a number of positive developments in the field of nuclear disarmament, in particular the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles,[44] and the treaties on the reduction and limitation of strategic offensive arms,

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[44] *The United Nations Disarmament Yearbook*, vol. 12: 1987 (United Nations publication, Sales No. E.88.IX.2), appendix VII.

Appreciating also the indefinite extension of the Treaty on the Non-Proliferation of Nuclear Weapons,[5] and acknowledging the importance of the determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons, and by all States of general and complete disarmament under strict and effective international control,

Welcoming the steps that have already been taken by the Russian Federation and the United States of America to begin the process of reducing the number of nuclear weapons and removing such weapons from a deployed status, and bilateral agreements on de-targeting strategic nuclear missiles,

Noting the new climate of relations between the States of the former Union of Soviet Socialist Republics and the United States of America, which permits them to intensify their cooperative efforts to ensure the safety, security, and environmentally sound destruction of nuclear weapons,

Recalling the Moscow Summit Declaration on Nuclear Safety and Security of April 1996,[45]

Urging early action to complete the ratification of the Treaty on Further Reduction and Limitation of Strategic Offensive Arms[33] and further intensification of efforts to accelerate the implementation of agreements and unilateral decisions relating to nuclear arms reduction,

Appreciating the joint statement on future reductions in nuclear forces and the joint statement outlining the elements of an agreement for higher-velocity theatre missile defence systems, both issued on 21 March 1997 by the Russian Federation and the United States of America,[34] as well as their joint statement of 10 May 1995 in connection with the Treaty on the Limitation of Anti-Ballistic Missile Systems,[46]

Welcoming the significant reductions made by other nuclear-weapon States, and encouraging all nuclear-weapon States to consider appropriate measures relating to nuclear disarmament,

1. *Welcomes* the entry into force of the Treaty on the Reduction and Limitation of Strategic Offensive Arms, signed in Moscow on 31 July 1991 by the Union of Soviet Socialist Republics and the United States of America,[32] including the Protocol to that Treaty signed at Lisbon on 23 May 1992 by the parties thereto, and the exchange of documents of ratification between Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America on 5 December 1994 at Budapest;

2. *Also welcomes* the signing of the Treaty between the Russian Federation and the United States of America on Further Reduction and Limitation of Strategic Offensive Arms in Moscow on 3 January 1993,[33] and urges the parties to take the steps necessary to bring that Treaty into force at the earliest possible date;

3. *Further welcomes* the joint statement issued at Helsinki on 21 March 1997,[34] in which Presidents Yeltsin and Clinton reached an understanding that after the entry into force of START II, their two countries would immediately commence negotiations on a START III agreement, which would include the establishment, by 31 December 2007, of lower aggregate levels of 2,000 to 2,500 strategic nuclear warheads, take measures relating to the transparency of strategic nuclear warhead inventories and destruction of strategic nuclear warheads, and carry out other actions to promote the irreversibility of these deep reductions;

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[45] A/51/131, annex I.

[46] United Nations, *Treaty Series*, vol. 944, No. 13446.

4. *Notes with satisfaction* the Protocol to START II, the Joint Agreed Statement, and the Letters on Early Deactivation, signed by the Russian Federation and the United States of America in New York on 26 September 1997, which are intended to promote the further process of still deeper reductions and limitations of strategic offensive arms;

5. *Welcomes* the signing on 26 September 1997 by Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America of a number of significant agreements that contribute to ensuring the viability of the Treaty on the Limitation of Anti-Ballistic Missile Systems;[46]

6. *Expresses its satisfaction* at the entry into force and ongoing implementation of the 1991 Treaty[32] as well as the advice and consent of the Senate of the United States of America to the 1993 Treaty,[33] and expresses its hope that it will soon be possible for the Russian Federation to take corresponding steps for ratifying that Treaty;

7. *Expresses further satisfaction* at the continuing implementation of the Treaty between the Union of Soviet Socialist Republics and the United States of America on the Elimination of Their Intermediate-Range and Shorter-Range Missiles,[44] in particular at the completion by the parties of the destruction of all their declared missiles subject to elimination under the Treaty;

8. *Welcomes* the removal of all nuclear weapons from the territory of Kazakhstan as of 1 June 1995, from the territory of Ukraine as of 1 June 1996, and from the territory of Belarus as of 30 November 1996;

9. *Encourages* Belarus, Kazakhstan, the Russian Federation, Ukraine and the United States of America to continue their cooperative efforts aimed at eliminating nuclear weapons and strategic offensive arms on the basis of existing agreements, and welcomes the contributions that other States are making to such cooperation as well;

10. *Welcomes* the participation in the Treaty on the Non-Proliferation of Nuclear Weapons[5] of Belarus, Kazakhstan and Ukraine as non-nuclear States, which thereby provided notable enhancement of the non-proliferation regime;

11. *Urges* the Russian Federation and the United States of America to commence negotiations on a START III agreement immediately after START II enters into force, thereby realizing the understandings they reached in the joint statement issued at Helsinki;[34]

12. *Encourages and supports* the Russian Federation and the United States of America in their efforts to reduce their nuclear weapons and to continue to give those efforts the highest priority in order to contribute to the ultimate goal of eliminating those weapons;

13. *Invites* the Russian Federation and the United States of America to keep other States Members of the United Nations duly informed of progress in their discussions and in the implementation of their strategic offensive arms agreements and unilateral decisions.

67th plenary meeting
9 December 1997

N

The nuclear-weapon-free southern hemisphere and adjacent areas

The General Assembly,

Recalling its resolution 51/45 B of 10 December 1996,

Determined to continue to contribute to the prevention of the proliferation of nuclear weapons in all its aspects and to the process of general and complete disarmament under strict and effective international control, in particular in the field of nuclear weapons and other weapons of mass destruction, with a view to strengthening international peace and security, in accordance with the purposes and principles of the Charter of the United Nations,

Recalling the provisions on nuclear-weapon-free zones of the Final Document of the Tenth Special Session of the General Assembly,[10] the first special session devoted to disarmament, as well as of the decision on principles and objectives for nuclear non-proliferation and disarmament of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[37]

Stressing the importance of the treaties of Tlatelolco,[47] Rarotonga,[48] Bangkok,[49] and Pelindaba,[50] establishing nuclear-weapon-free zones, as well as the Antarctic Treaty,[51] to, *inter alia*, the ultimate objective of achieving a world entirely free of nuclear weapons, and underlining also the value of enhancing cooperation among the nuclear-weapon-free zone treaty members by means of mechanisms such as joint meetings of States parties, signatories and observers to those treaties,

Recalling the applicable principles and rules of international law relating to rights of passage through maritime space, including under the United Nations Convention on the Law of the Sea,[52]

1. *Welcomes* the contribution that the Antarctic Treaty[51] and the treaties of Tlatelolco,[47] Rarotonga,[48] Bangkok[49] and Pelindaba[50] are making towards freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons;

2. *Calls* for the ratification of the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba by all regional States, and calls upon all concerned States to continue to work together in order to facilitate adherence to the protocols to nuclear-weapon-free zone treaties by all relevant States that have not yet done so;

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[47] Treaty for the Prohibition of Nuclear Weapons in Latin America and the Caribbean.

[48] South Pacific Nuclear Free Zone Treaty.

[49] Treaty on the South-East Asia Nuclear-Weapon-Free Zone.

[50] African Nuclear-Weapon-Free Zone Treaty.

[51] United Nations, *Treaty Series*, vol. 402, No. 5778.

[52] *Official Records of the Third United Nations Conference on the Law of the Sea, vol. XVII* (United Nations publication, Sales No. E.84.V.3), document A/CONF.62/122.

3. *Welcomes* the steps taken to conclude further nuclear-weapon-free zone treaties on the basis of arrangements freely arrived at among the States of the region concerned, and calls upon all States to consider all relevant proposals, including those reflected in its resolutions on the establishment of nuclear-weapon-free zones in the Middle East and South Asia;

4. *Stresses* the role of nuclear-weapon-free zones in strengthening the nuclear non-proliferation regime and in extending the areas of the world that are nuclear-weapon-free, and, with particular reference to the responsibilities of the nuclear-weapon States, calls upon all States to support the process of nuclear disarmament, with the ultimate goal of eliminating all nuclear weapons;

5. *Calls upon* the States parties and signatories to the treaties of Tlatelolco, Rarotonga, Bangkok and Pelindaba, in order to pursue the common goals envisaged in those treaties and to promote the nuclear-weapon-free status of the southern hemisphere and adjacent areas, to explore and implement further ways and means of cooperation among themselves and their treaty agencies;

6. *Encourages* the competent authorities of nuclear-weapon-free zone treaties to provide assistance to the States parties and signatories to such treaties so as to facilitate the accomplishment of these goals;

7. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "The nuclear-weapon-free southern hemisphere and adjacent areas".

67th plenary meeting
9 December 1997

O

Advisory opinion of the International Court of Justice on the Legality of the Threat or Use of Nuclear Weapons

The General Assembly,

Recalling its resolutions 49/75 K of 15 December 1994 and 51/45 M of 10 December 1996,

Convinced that the continuing existence of nuclear weapons poses a threat to all humanity and that their use would have catastrophic consequences for all life on Earth, and recognizing that the only defence against a nuclear catastrophe is the total elimination of nuclear weapons and the certainty that they will never be produced again,

Mindful of the solemn obligations of States parties, undertaken in article VI of the Treaty on the Non-Proliferation of Nuclear Weapons,[5] particularly to pursue negotiations in good faith on effective measures relating to cessation of the nuclear arms race at an early date and to nuclear disarmament,

Recalling the principles and objectives for nuclear non-proliferation and disarmament adopted at the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[37] and in particular the objective of determined pursuit by the nuclear-weapon States of systematic and progressive efforts to reduce nuclear weapons globally, with the ultimate goal of eliminating those weapons,

Recalling also the adoption of the Comprehensive Nuclear-Test-Ban Treaty in its resolution 50/245 of 10 September 1996,

Recognizing with satisfaction that the Antarctic Treaty[51] and the treaties of Tlatelolco,[47] Rarotonga,[48] Bangkok[49] and Pelindaba[50] are gradually freeing the entire southern hemisphere and adjacent areas covered by those treaties from nuclear weapons,

Noting the efforts by the States possessing the largest inventories of nuclear weapons to reduce their stockpiles of such weapons through bilateral and unilateral agreements or arrangements, and calling for the intensification of such efforts to accelerate the significant reduction of nuclear-weapon arsenals,

Recognizing the need for a multilaterally negotiated and legally binding instrument to assure non-nuclear-weapon States against the threat or use of nuclear weapons,

Reaffirming the central role of the Conference on Disarmament as the single multilateral disarmament negotiating forum, and regretting the lack of progress in disarmament negotiations, particularly nuclear disarmament, in the Conference on Disarmament during its 1997 session,

Emphasizing the need for the Conference on Disarmament to commence negotiations on a phased programme for the complete elimination of nuclear weapons with a specified framework of time,

Desiring to achieve the objective of a legally binding prohibition of the development, production, testing, deployment, stockpiling, threat or use of nuclear weapons and their destruction under effective international control,

Recalling the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*, issued on 8 July 1996,[38]

1. *Underlines once again* the unanimous conclusion of the International Court of Justice that there exists an obligation to pursue in good faith and bring to a conclusion negotiations leading to nuclear disarmament in all its aspects under strict and effective international control;

2. *Calls once again upon* all States immediately to fulfil that obligation by commencing multilateral negotiations in 1998 leading to an early conclusion of a nuclear weapons convention prohibiting the development, production, testing, deployment, stockpiling, transfer, threat or use of nuclear weapons and providing for their elimination;

3. *Requests* all States to inform the Secretary-General of the efforts and measures they have taken on the implementation of the present resolution and nuclear disarmament, and requests the Secretary-General to apprise the General Assembly of that information at its fifty-third session;

4. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Follow-up to the advisory opinion of the International Court of Justice on the *Legality of the Threat or Use of Nuclear Weapons*".

67th plenary meeting
9 December 1997

P

Regional disarmament

The General Assembly,

Recalling its resolutions 45/58 P of 4 December 1990, 46/36 I of 6 December 1991, 47/52 J of 9 December 1992, 48/75 I of 16 December 1993, 49/75 N of 15 December 1994, 50/70 K of 12 December 1995 and 51/45 K of 10 December 1996 on regional disarmament,

Believing that the efforts of the international community to move towards the ideal of general and complete disarmament are guided by the inherent human desire for genuine peace and security, the elimination of the danger of war and the release of economic, intellectual and other resources for peaceful pursuits,

Affirming the abiding commitment of all States to the purposes and principles enshrined in the Charter of the United Nations in the conduct of their international relations,

Noting that essential guidelines for progress towards general and complete disarmament were adopted at the tenth special session of the General Assembly,[10]

Taking note of the guidelines and recommendations for regional approaches to disarmament within the context of global security adopted by the Disarmament Commission at its 1993 substantive session,[53]

Welcoming the prospects of genuine progress in the field of disarmament engendered in recent years as a result of negotiations between the two super-Powers,

Taking note of the recent proposals for disarmament at the regional and subregional levels,

Recognizing the importance of confidence-building measures for regional and international peace and security,

Convinced that endeavours by countries to promote regional disarmament, taking into account the specific characteristics of each region and in accordance with the principle of undiminished security at the lowest level of armaments, would enhance the security of all States and would thus contribute to international peace and security by reducing the risk of regional conflicts,

1. *Stresses* that sustained efforts are needed, within the framework of the Conference on Disarmament and under the umbrella of the United Nations, to make progress on the entire range of disarmament issues;

2. *Affirms* that global and regional approaches to disarmament complement each other and should therefore be pursued simultaneously to promote regional and international peace and security;

3. *Calls upon* States to conclude agreements, wherever possible, for nuclear non-proliferation, disarmament and confidence-building measures at the regional and subregional levels;

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[53] *Official Records of the General Assembly, Forty-eighth Session, Supplement No. 42* (A/48/42), annex II.

4. *Welcomes* the initiatives towards disarmament, nuclear non-proliferation and security undertaken by some countries at the regional and subregional levels;

5. *Supports and encourages* efforts aimed at promoting confidence-building measures at the regional and subregional levels in order to ease regional tensions and to further disarmament and nuclear non-proliferation measures at the regional and subregional levels;

6. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Regional disarmament".

67th plenary meeting
9 December 1997

Q

Conventional arms control at the regional and subregional levels

The General Assembly,

Recalling its resolutions 48/75 J of 16 December 1993, 49/75 O of 15 December 1994, 50/70 L of 12 December 1995 and 51/45 Q of 10 December 1996,

Recognizing the crucial role of conventional arms control in promoting regional and international peace and security,

Convinced that conventional arms control needs to be pursued primarily in the regional and subregional contexts since most threats to peace and security in the post-cold-war era arise mainly among States located in the same region or subregion,

Aware that the preservation of a balance in the defence capabilities of States at the lowest level of armaments would contribute to peace and stability and should be a prime objective of conventional arms control,

Desirous of promoting agreements to strengthen regional peace and security at the lowest possible level of armaments and military forces,

Noting with particular interest the initiatives taken in this regard in different regions of the world, in particular the commencement of consultations among a number of Latin American countries and the proposals for conventional arms control made in the context of South Asia, and recognizing, in the context of this subject, the relevance and value of the Treaty on Conventional Armed Forces in Europe,[54] which is a cornerstone of European security,

Believing that militarily significant States and States with larger military capabilities have a special responsibility in promoting such agreements for regional security,

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[54] CD/1064.

Believing also that an important objective of conventional arms control in regions of tension should be to prevent the possibility of military attack launched by surprise and to avoid aggression,

1. *Decides* to give urgent consideration to the issues involved in conventional arms control at the regional and subregional levels;

2. *Requests* the Conference on Disarmament, as a first step, to consider the formulation of principles that can serve as a framework for regional agreements on conventional arms control, and looks forward to a report of the Conference on this subject;

3. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Conventional arms control at the regional and subregional levels".

67th plenary meeting
9 December 1997

R

Transparency in armaments

The General Assembly,

Recalling its resolutions 46/36 L of 9 December 1991, 47/52 L of 15 December 1992, 48/75 E of 16 December 1993, 49/75 C of 15 December 1994, 50/70 D of 12 December 1995 and 51/45 H of 10 December 1996,

Continuing to take the view that an enhanced level of transparency in armaments contributes greatly to confidence-building and security among States and that the establishment of the United Nations Register of Conventional Arms[4] constitutes an important step forward in the promotion of transparency in military matters,

Welcoming the consolidated report of the Secretary-General on the Register,[55] which includes the returns of Member States for 1996,

Welcoming also the response of Member States to the request contained in paragraphs 9 and 10 of resolution 46/36 L to provide data on their imports and exports of arms, as well as available background information regarding their military holdings, procurement through national production and relevant policies,

Welcoming further the report of the Secretary-General on the continuing operation of the Register and its further development,[56]

Stressing that the continuing operation of the Register and its further development should be reviewed in order to secure a Register that is capable of attracting the widest possible participation,

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[55] A/52/312 and Corr.1 and 2 and Add.1 and 2.

[56] A/52/316.

1. *Reaffirms its determination* to ensure the effective operation of the United Nations Register of Conventional Arms[4] as provided for in paragraphs 7 to 10 of resolution 46/36 L;

2. *Takes note* of the report of the Secretary-General on the continuing operation of the Register and its further development,[56] and endorses the recommendations contained therein;

3. *Calls upon* Member States, with a view to achieving universal participation, to provide the Secretary-General by 31 May annually with the requested data and information for the Register, including nil reports if appropriate, on the basis of resolutions 46/36 L and 47/52 L and the recommendations contained in paragraph 64 of the 1997 report of the Secretary-General on the continuing operation of the Register and its further development;[56]

4. *Invites* Member States in a position to do so, pending further development of the Register, to provide additional information on procurement from national production and military holdings and to make use of the "Remarks" column in the standardized reporting form to provide additional information such as types or models;

5. *Decides*, with a view to further development of the Register, to keep the scope of and participation in the Register under review, and to that end:

(*a*) Requests Member States to provide the Secretary-General with their views on the continuing operation of the Register and its further development and on transparency measures related to weapons of mass destruction;

(*b*) Requests the Secretary-General, with the assistance of a group of governmental experts to be convened in the year 2000 on the basis of equitable geographical representation, to prepare a report on the continuing operation of the Register and its further development, taking into account the work of the Conference on Disarmament, the views expressed by Member States and his reports on the continuing operation of the Register and its further development,[57] with a view to a decision at its fifty-fifth session;

6. *Requests* the Secretary-General to implement the recommendations within his competence contained in his 1997 report on the continuing operation of the Register and its further development and to ensure that sufficient resources are made available for the Secretariat to operate and maintain the Register;

7. *Invites* the Conference on Disarmament to consider continuing its work undertaken in the field of transparency in armaments;

8. *Reiterates its call upon* all Member States to cooperate at the regional and subregional levels, taking fully into account the specific conditions prevailing in the region or subregion, with a view to enhancing and coordinating international efforts aimed at increased openness and transparency in armaments;

9. *Requests* the Secretary-General to report to the General Assembly at its fifty-third session on progress made in implementing the present resolution;

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[57] A/49/316 and A/52/316.

10. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Transparency in armaments".

67th plenary meeting
9 December 1997

S

Establishment of a nuclear-weapon-free zone in Central Asia

The General Assembly,

Emphasizing the importance of internationally recognized agreements on the establishment of nuclear-weapon-free zones in various regions of the world,

Recalling paragraphs 60, 61, 62 and 64 of the Final Document of the Tenth Special Session of the General Assembly,[10] the provisions of the Treaty on the Non-Proliferation of Nuclear Weapons[5] and paragraphs 5 and 6 of the decision entitled "Principles and objectives for nuclear non-proliferation and disarmament" in the Final Document of the 1995 Review and Extension Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons,[37] concerning the establishment of nuclear-weapon-free zones,

Recalling also the Almaty Declaration of the heads of State of the Central Asian States of 28 February 1997[58] and the statement issued at Tashkent on 15 September 1997 by the Ministers for Foreign Affairs of Kazakhstan, Kyrgyzstan, Tajikistan, Turkmenistan and Uzbekistan on the establishment of a nuclear-weapon-free zone in Central Asia,[59]

Reaffirming the generally recognized role of the United Nations in promoting the establishment of nuclear-weapon-free zones,

Convinced that the establishment of nuclear-weapon-free zones in various regions of the world can contribute to the achievement of general and complete disarmament,

Believing that the establishment of nuclear-weapon-free zones in various regions, including Central Asia, will help to strengthen peace and stability at both the regional and the global levels and is in the interest of the security of the States in the Central Asian region,

Welcoming the offer of Kyrgyzstan to hold a consultative meeting of experts on the establishment of a nuclear-weapon-free zone in Central Asia at Bishkek in 1998,

1. *Calls upon* all States to support the initiative aimed at the establishment of a nuclear-weapon-free zone in Central Asia;

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[58] A/52/112, annex.

[59] A/52/390, annex.

2. *Requests* the Secretary-General, within existing resources, to provide assistance to the Central Asian countries in the preparation of the form and elements of an agreement on the establishment of a nuclear-weapon-free zone in Central Asia;

3. *Decides* to consider the question of the establishment of a nuclear-weapon-free zone in Central Asia at its fifty-third session under the agenda item entitled "General and complete disarmament".

67th plenary meeting
9 December 1997

T

Status of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction

The General Assembly,

Recalling its previous resolutions on the subject of chemical and bacteriological (biological) weapons, in particular resolution 51/45 T of 10 December 1996, adopted without a vote,

Determined to achieve the effective prohibition of the development, production, acquisition, transfer, stockpiling and use of chemical weapons and their destruction,

1. *Welcomes* the fact that the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction[6] entered into force on 29 April 1997 with eighty-seven original States parties as well as the fact that seventeen States have subsequently become States parties to the Convention;

2. *Notes with satisfaction* that the First Conference of States Parties held at The Hague in the Kingdom of the Netherlands from 6 to 23 May 1997 successfully launched the Organization for the Prohibition of Chemical Weapons with Ambassador Jose M. Bustani of Brazil as the first Director-General;

3. *Emphasizes* the necessity of universal adherence to the Convention, and calls upon all States that have not yet done so to become States parties to the Convention without delay;

4. *Stresses* the vital importance of full and effective implementation of, and compliance with, all provisions of the Convention;

5. *Notes with satisfaction* that the Organization for the Prohibition of Chemical Weapons has quickly initiated verification activities, including the processing of declarations of States parties and the conducting of inspections of chemical weapons-related and other declared facilities as required by the Convention, and underlines the importance of the early initiation of activities under all relevant provisions of the Convention by the Organization for the Prohibition of Chemical Weapons;

6. *Stresses* the importance to the Convention that all possessors of chemical weapons, chemical weapons production facilities or chemical weapons development facilities, including previously declared possessor States, should be among the States parties to the Convention, and welcomes recent progress to that end;

7. *Urges* all States parties to the Convention to meet in full their obligations under the Convention and to support the Organization for the Prohibition of Chemical Weapons in its implementation activities;

8. *Decides* to include in the provisional agenda of its fifty-third session the item entitled "Implementation of the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on Their Destruction".

67th plenary meeting
9 December 1997